Docket No.: TBRX-P01-001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Patent Application of:
Jones et al.

Application No.: 09/919,584 Confirmation No.: 2595

Filed: July 30, 2001 Art Unit: 2628

For: METHOD OF CREATING A FULL COLOR DISPLAY Examiner: Wang, Jin Cheng

RESPONSE TO NON-COMPLIANT APPEAL BRIEF WITH AMENDED APPEAL BRIEF – REPLACEMENT SECTION

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

INTRODUCTORY COMMENTS

In response to the Notification of Non-Compliant Appeal Brief mailed September 29, 2008, appellants are submitting this Amended Appeal Brief pursuant to 37 C.F.R. § 41.37(d). Pursuant to MPEP § 1205.03, this Amended Appeal Brief only includes the defective "Summary of Claimed Subject Matter" section and is not an entire new brief.

REPLACEMENT SECTION

V. SUMMARY OF CLAIMED SUBJECT MATTER

The claimed invention includes, but is not limited to, devices and techniques for creating a display in an electronic device that gives the perception to a viewer of a full range of colors based on a matrix of two different color elements (see, e.g., page 2, lines 14-23 of Applicants' specification). In particular, the devices and techniques include providing a two-color display of optical elements that are arranged in an alternating pattern (see, e.g., page 10, lines 10-18 of Applicants' specification), determining relative brightness of points associated with an image presented on a full color display (see, e.g., page 8, lines 23-34 of Applicants' specification), and translating the relative brightness of the points created on the full color display into corresponding brightness of the respective points on the two-color display (see, e.g., page 8, lines 23-34 and page 9, lines 5-30 of Applicants' specification). In certain implementations, the optical elements of the two-color display are sequentially activated to simulate the effect of the full color display (see, e.g., page 10, lines 10-18 of Applicants' specification).

Support in the specification for claims 1, 12 and 13 is found at least in the locations indicated in the following table:

Claim 1	**The Specification**
A method that gives the perception of a display with a full range of color from a matrix of optical elements of a first or a second color, comprising	*See, e.g.,* page 2, lines 14-23.
providing a two-color display of optical elements of a first color and a second color and being arranged in an	*See, e.g.,* page 10, lines 10-18.

alternating pattern,	
determining, for an image presented on a full color display, the relative brightness for points of the image produced by the full color display, and	*See, e.g.*, page 8, lines 23-34.
translating the relative brightness of the points created by the full color display into a corresponding brightness for the respective points on the two-color display.	*See, e.g.*, page 8, lines 23-34 and page 9, lines 5-30.
Claim 12	**The Specification**
A method for creating the perception of a display with a full range of colors from a matrix of optical elements of a first or a second color, comprising	*See, e.g.*, page 2, lines 14-23
providing a two-color display of optical elements of a first and a second color arranged in an alternating pattern,	*See, e.g.*, page 10, lines 10-18
determining for an image presented on a three color display, the relative brightness for each point of the image produced by the three color display,	*See, e.g.*, page 8, lines 23-34
translating the relative brightness of each point created by the three color display into a corresponding brightness for the respective points on the two-color display, and	*See, e.g.*, page 8, lines 23-34 and page 9, lines 5-30.
sequentially activating optical elements	*See, e.g.*, page 10, lines 10-18

of the first and the second color, for simulating the effect of a full color display.	
Claim 13	**The Specification**
An apparatus for visually displaying information on a two-color display, comprising.	*See, e.g.* page 5, lines 24-27
a display having two-color elements,	*See, e.g.* page 6, lines 29-34, FIG. 3, and page 10, lines 28-33
a memory device for storing information representative of a plurality of points for making up the image, each point being associated with information representative of three color components, and	*See, e.g.* page 11, lines 14-28.
a process for translating the relative brightness of the three color components to relative brightness levels for the two-color elements of the display.	*See, e.g.* page 11, lines 14-28.

CONCLUSION

Appellants respectfully request that the above replacement section be replaced with the corresponding section submitted in the Appeal Brief filed on April 30, 2007.

Early and favorable consideration is respectfully requested.

Appellants believe that no fee is required in connection with this Amended Appeal Brief, aside from the enclosed petition for a five-month extension of time extending the deadline for responding to March 29, 2009. However, the Director is hereby authorized to charge any fees that may be due, or credit any overpayment of the same, to Deposit Account No. 18-1945, under Order No. TBRX-P01-001 from which the undersigned is authorized to draw.

Dated: March 26, 2009

Respectfully submitted,

By_____

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